

COPY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
SPRINGFIELD, ILLINOIS

ILLINOIS COMMERCE  
COMMISSION

ILLINOIS COMMERCE COMMISSION

2002 SEP 12 A 9:39

vs.

No. TO 2-TRANSPORTATION DIV

NORFOLK SOUTHERN RAILWAY  
COMPANY

MOTION FOR SUBPOENAS

Comes now Norfolk Southern Railway Company, by and through their attorneys, Charles J. Swartwout and Gundlach, Lee, Eggmann, Boyle & Roessler, and pursuant to the Illinois Administrative Procedure Act and to the extent applicable, the Illinois Code of Civil Procedure, requests that subpoenas be issued for persons and information needed for the citation hearing in the above-entitled cause.

1. A subpoena to issue to the Federal Railroad Administration to obtain a copy of the investigative report of the subject crossing.
2. A subpoena to issue to the Illinois Department of Transportation who upon information is believed to have sent James Zacha to examine the crossing and prepare a report.
3. A subpoena to issue to James Zacha of Altamont, Illinois.
4. A subpoena to issue to Jefferson County Department of Highways.
5. A subpoena to issue to the Webber District Road Commissioner, Jefferson County, Illinois.
6. A subpoena to issue to Scott Wiseman, Illinois Commerce Commission.

DOCKETED

WHEREFORE, pursuant to the rules set forth in the Illinois Administrative Procedure Act and to the extent applicable, the Illinois Code of Civil Procedure, Norfolk Southern Railway Company respectfully requests this court to enter the appropriate order(s) for the purpose of issuing subpoenas to the above-named entities or individuals.

GUNDLACH, LEE, EGGMANN, BOYLE & ROESSLER

By: 

Charles J. Swartwout

Andrew C. Corkery

Attorney for Norfolk Southern Railway Company

5000 West Main Street, Box 23560

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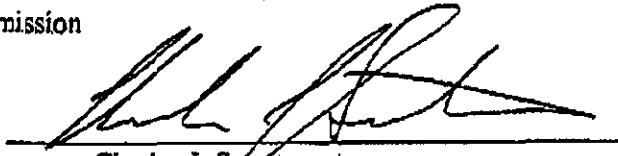
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**PROOF OF SERVICE**

The undersigned certifies that a copy of the attached document was hand-delivered on  
September 12, 2002, to:

Kevin Sharpe  
Director of Processing and Information  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

Gary Schechter  
Special Assistant Attorney General  
Attorney for Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

  
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Charles J. Swartwout